

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

**IN RE: CENTURYLINK SALES
PRACTICES AND SECURITIES
LITIGATION**

This Document Relates to:

Civil Action No. 18-296 (MJD/KMM)

MDL No. 17-2795 (MJD/KMM)

**DECLARATION OF RYAN M.
BLAIR IN SUPPORT OF
DEFENDANTS' MOTION FOR
LEAVE TO REOPEN DEPOSITION
OF MICHAEL L. HARTZMARK
AND FILE SUR-REPLY, TO
ADJOURN CLASS
CERTIFICATION HEARING, AND
TO ORDER AN EVIDENTIARY
HEARING**

I, Ryan M. Blair, hereby declare as follows:

1. My name is Ryan Blair and I am a Partner with the law firm of Cooley LLP. I am a member in good standing of the bar of California.
2. I serve as counsel to Defendants CenturyLink, Inc., Glen F. Post, III, R. Stewart Ewing, Jr., David D. Cole, Karen Puckett, Dean J. Douglas, and G. Clay Bailey in this matter.
3. I respectfully submit this declaration pursuant to 28 U.S.C. § 1746 in order to transmit to the Court certain documents referenced in the Memorandum of Law in Support of Defendants' Motion for Leave to Reopen Deposition of Michael L. Hartzmark and File Sur-Reply, to Adjourn Class Certification Hearing, and to Order an Evidentiary Hearing, which has been filed concurrently herewith.
4. I have personal knowledge of the facts set forth in this Declaration.

5. Attached as **Exhibit A** is a true and correct copy of excerpts of the transcript from the February 25, 2020 deposition of Michael L. Hartzmark.

6. Attached as **Exhibit B** is a true and correct copy of *In re: Finisar Corp. Sec. Litig.*, No. 11-cv-012525 (N.D. Cal.) (Dkt. No. 147) (order granting the defendants' administrative motion to file a sur-reply and supplemental expert report on the subject of price impact after Hartzmark offered a new price impact opinion in a rebuttal report).

7. Attached as **Exhibit C** is a true and correct copy of *Grae v. Corr. Corp. of Am.*, 16-cv-2267 (M.D. Tenn.) (Dkt. No. 132) (order concluding "that [the plaintiff's] submission of a lengthy new report in support of its Reply" addressing price impact was "an appropriate basis for allowing a brief, expeditiously filed sur-reply.").

I hereby declare under the penalty of perjury that the foregoing is true and correct.

Executed this 8th day of May, 2020, in San Diego, CA.

/s/ Ryan Blair
Ryan M. Blair